REMARKS/ARGUMENTS

This amendment responds to the Notice of Non-Compliant Amendment dated April 27, 2009, and to the Office Action dated January 5, 2009, in which the Examiner required information, objected to the Specification, rejected claims 5 and 7 under 35 U.S.C. § 101, and rejected claims 1-7 under 35 U.S.C. § 102(b).

In the Office Action, the Examiner requested Applicants identify pending or abandoned applications that disclose similar subject matter filed by at least one of the inventors or assigned to the same assignee as the current application. The Applicants cannot readily obtain this required information. However, attached to this response is a copy of a search done for the two inventors of the current application. Mr. Watanabe is listed as inventor on 25 patents, while Mr. Kondo is listed as inventor in 370 patents. Further information is currently not readily obtainable.

As indicated above, the Specification has been amended for the priority information. Applicants respectfully request the Examiner withdraws the objection to the Specification.

As indicated above, claims 5 and 7 have been amended to be directed to statutory subject matter. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 5 and 7 under 35 U.S.C. § 101.

Claim 1 claims an apparatus for processing an image signal, claim 5 claims a method therefore, claim 6 claims a computer-readable medium, and claim 7 claims a program. The apparatus, method, medium and program include converting a first image signal, constituted by plural items of pixel data, into a second image signal constituted of plural items of pixel data. Plural items of pixel data located in a space directional periphery with respect to a position obtained by performing motion compensation on a target position are selected by using motion

vector stored in a plurality of frame memory portions together with the pixel data, from the

frame memory portions in which frames before and after the current frame are stored.

By selecting plural items of pixel data by using motion vector corresponding to the target

pixel, as claimed in claims 1 and 5-7, the claimed invention provides an apparatus, method,

medium and program which can convert an image signal containing coding noise into an image

signal from which the coding noise is removed. The prior art does not show, teach or suggest the

invention as claimed in claims 1 and 5-7.

Claims 1-7 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Kondo, et al.*

(JP 2002-223167).

Applicants respectfully traverse the Examiner's rejection of claims 1-7 under 35 U.S.C. §

102(b). The claims have been reviewed in light of the Office Action, and for reasons set forth

below, Applicants respectfully request the Examiner withdraw the rejection to the claims and

allows the claims to issue

Kondo, et al. appears to disclose (in corresponding U.S. Application Publication No.

2003/0152165) in FIG. 3 a tap generation circuit 31 which generates a prediction tap, used for a

prediction calculation executed in a prediction section 35 from the first decoded data, the first

additional information, the second decoded data and the second additional information. More

specifically, the tap generation circuit 31 extracts first decoded data and second decoded data

that are closer in time or in space aimed-at data that is aimed at because it is to be improved in

quality, also extracts first additional information and second additional information used for

decoding that first decoded data and that second decoded data and then sends extracted data

(information) to the prediction section 35 as the prediction tap [0069]. The prediction section 35

obtains the prediction tap output from the tap generation section 31 and the tap coefficient output

from the coefficient memory 34, uses the prediction tap and the tap coefficients to perform a

linear prediction calculation and obtains and outputs data acquired by improving the quality of

the aimed-at data, that is, a prediction value of the aimed-at data having higher quality [0074].

Thus, *Kondo, et al.* merely discloses a tap generation section 31 which extracts a plurality

of pixel data located in time or space directional periphery. However, nothing in *Kondo, et al.*

shows, teaches or suggests selecting pixel data from different frames by using motion vector

corresponding to a target pixel as claimed in claims 1 and 5-7. In other words, nothing in *Kondo,

et al.* shows, teaches, or suggests selecting plural items of pixel data located in a space

directional periphery with respect to a position obtained by performing motion compensation on

the target position by using the motion vector stored in the plurality of frame memory portions

together with the pixel data, from the frame memory portions in which frames before and after

the current frame are stored as claimed in claims 1 and 5-7. Rather, *Kondo, et al.* only discloses

selecting pixels but does not use a motion vector to select pixel data or obtain position of a target

pixel by performing motion compensation.

Applicants respectfully point out that selecting pixel data from different frames by using

motion vector corresponding to the target pixel is shown in FIG. 8 of Applicants' Specification.

Nowhere in *Kondo, et al.*, does *Kondo, et al.* show, teach or suggest using motion vector or

performing motion compensation such as shown in FIG. 8 of Applicants application.

Additionally, FIG. 8 in *Kondo, et al.* merely discloses an example structure of an encoder

encoding an audio signal [0132]. FIG. 9 shows a decoder used when the encoder 1 is configured

for audio encoding [0163]. FIG. 10 shows an example of an encoder 1 used for encoding still-

picture image data by a JPEG method [0170]. FIG. 11 shows the structure of a decoder used

when the encoder is configured to encode still-picture image data [0176]. FIG. 12 shows an

example of the structure of an encoder used when it encodes motion-picture image data by

MPEG2 method [0180]. FIG. 13 shows the structure of a decoding section 21 used when the

encoder is configured to encode motion-picture image data by MPEG2 [0188]. The encoder of

FIG. 12 includes a motion compensation circuit 140 to output a reference image [0187]. The

decoder of FIG. 13 also includes a motion compensation circuit 156 which outputs a reference

image [0192].

Thus, *Kondo, et al.* merely discloses using motion compensation circuits 140 and 156 in

order to output a reference image when encoding/decoding a moving image of MPEG2. Nothing

in *Kondo, et al.* shows, teaches or suggests using motion compensation for data selection as

claimed in claims 1 and 5-7. Rather, *Kondo, et al.* only discloses motion compensation used

during MPEG coding or decoding. In other words, nothing in *Kondo, et al.* shows, teaches or

suggests selecting plural items with respect to a position obtained by performing motion

compensation on a target position by using the motion vectors as claimed in claims 1 and 5-7.

Since nothing in *Kondo, et al.* shows, teaches or suggests selecting pixel data from

different frames using motion vectors corresponding to the target pixel as claimed in claims 1

and 5-7, Applicants respectfully request the Examiner withdraws the rejection to claims 1 and 5-

7 under 35 U.S.C. § 102(b).

Claims 2-4 depend from claim 1 and recite additional features. Applicants respectfully

submit that claims 2-4 would not have been anticipated by *Kondo, et al.* within the meaning of

35 U.S.C. § 102(b), at least for the reasons as set forth above. Therefore, Applicants respectfully

request the Examiner withdraws the rejection to claims 2-4 under 35 U.S.C. § 102(b).

The prior art of record, which is not relied upon, is acknowledged. The references taken

singularly or in combination do not anticipate or make obvious the claimed invention.

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Thus, it now appears that the application is in condition for a reconsideration and

allowance. Reconsideration and allowance at an early date are respectfully requested.

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CONCLUSION

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 50-0320.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 50-0320.

Respectfully submitted,

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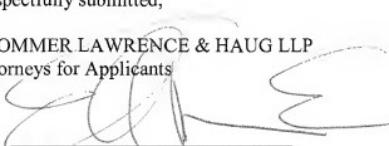
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